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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,774	07/30/2003	Ju Hwan Yun	9988.035.00-US	7781

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EXAMINER

PATEL, RITA RAMESH

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/629,774		YUN ET AL.	
	Examiner		Art Unit	
	Rita R. Patel		1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/29/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Acknowledgement has been made of applicant's claim for priority under 35 U.S.C. 119.

Drawings

The drawings received 07/30/03 are acceptable for examination purposes.

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 33 (the one *after* claim 34) has been renumbered 35.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 39 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 39 claims states, "The laundry/dryer drum type washing machine as claimed in claim 36, wherein the door frame includes..." however, there was

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no claim made of a laundry/dryer drum type washing machine in claim 36, hence the Office considers this claim language as being indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 12, 13, 15-30, 34, 35, 37, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Studt (5,195,647) further in view of Mills (US Patent No. 5,799,647).

Studt teaches a clothes drier with a door assembly including an outer panel to which a handle, latching mechanism, and hinges are mounted (Abstract). However, Studt fails to teach said door assembly including a double-paned glass window therein. Mills teaches this deficiency by disclosing a door having a pair of rectangular window panels held in spaced parallel relation by a frame. Retainer flanges extend laterally outwardly from the spacer flanges over the edges of the panels and clips are provided to clamp the panels to the frame (Abstract). It would be obvious to one of ordinary skill in the art to include a pair of windows in the door of Studt, for achieving expectations of allowing the user to see within the apparatus during operation, while maintaining means for ensuring minimal heat loss.

Mills further teaches the window unit 10 comprising a pair of rectangular window panels or panes 14, 16 are made of glass or the like transparent or translucent material, a frame 18 and clips 19. The frame is preferably made of a one-piece strip of metal or other flexible, bendable material (col. 2, lines 1-4 and 10-11). The frame may be made of bendable material, as taught by Mills, thereby being able to conform to curved or other shapes. Also, glass or like transparent materials, such as plastic are commonly known to be mutable in shape and therefore engageably fit the shape of the frame, as taught by Mills. The clips taught by Mills above, reads on applicant's claims for a "plurality of hooks on an outer peripheral surface".

Studt discloses the door assembly 16 includes an outer door panel 50 and an inner liner 52, whereby the door panel is fabricated from sheet metal, and has a face panel 54 with an orthogonal lip 56 (col. 4, lines 16-19). The front door panel 50 reads on applicant's claim of an outer part of the door, and the inner liner 52 reads on applicant's claim for a front part of the door. Aforementioned flanges taught by Mills form a space between the first and second windows and clips are provided for fastening window panels to the frame, which can be attached to the frame of Studt. Moreover, gaskets/sealing members are commonly known in the art for sealing door members of laundry machines and although Mills provides clips for fastening said windows, other fixing agents, such as a liquid sealant are known equivalents in the art. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a liquid sealant for sealing said door members since applicant has not disclosed that liquid sealant solves any stated problem or is for any particular purpose and it

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appears that the invention would perform equally well with other sealants and the selection of any of these known equivalents to provide adherent functions would be within the level of ordinary skill in the art. Moreover, Studt discloses the gasket 74 has a flexible flap 76 which seals against the face of recess 22 when door assembly 16 is closed (col. 4, lines 40-44).

Studt discloses the inner liner 52 is connected to door panel 50 by a plurality of screws 78a-c that are driven in through orthogonal lip 56 of door panel 50 and into corresponding screw bores 80a-c in the respective perimeter edges 82 of liner 52 (col. 4, lines 45-49). Hence, it would be obvious to provide a thickness of a seating groove for said gasket holes, as shown by Studt's mounting of the door panel by means of the screws—the seating groove would be used for holding the hooks therein, similar to the orthogonal lip for holding screws therein.

In Figures 1 and 3 of Studt, Studt illustrates a sloped, bent part projected backward of the lower, inner portion of the door; this bent portion provides increased support and rigidity to the door structure.

Mills discloses that in order to assemble the parts of the window unit, the panels 14 and 16 are placed against the spacer flanges 30 and 32 of the frame, inside the retainer flanges 36, 38, 40 and 42 so that the retainer flanges engage the edges of the panels (col. 3, lines 16-19). The flange/clip system disclosed by Mills can be made adjustable to fit the sloped inner door taught by Studt. Hinges and clips are inherently known to be made adjustable, hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide adjustable clips and hinges in

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the window unit of Mills for an appropriate fitting to Studt's walls since it has been held that the provision of adjustability, where needed, involves only routine skill in the art. *In re Stevens*, 101 USPQ 284 (CCPA 1954).

In addition, Studt does not explicitly disclose a specific angular range for the slope of the inner wall, taught above; however, it would have been obvious to one having ordinary skill in the art at the time the invention was made to slope the angle within the range of about 1-20 or even 8-10 degrees since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Studt teaches a clothes dryer apparatus 10 including a cabinet 12 having a front panel 14, a door assembly 16 connected to front panel 14 by hinges 18 and screws 20, and door assembly 16 fits into a recess 22 in front panel 14 when closed. In conventional manner, clothes to be dried are loaded into clothes drum 24 through access opening 26 and door assembly 16 is then closed (col. 1, lines 35-41). Moreover, the position is taken that one of ordinary skill in the art would at once envisage that a motor is anticipatory for rotating the clothes drum.

Re claims 6, 7, 29 and 30 wherein applicant claims paint coated colors, it has been found that choice in aesthetic designs was held to have been obvious. *St. Regis Paper Co. v. Beemis Co. Inc.* 193 USPQ 8, 11, (1977); *In re Harza* 124 USPQ 378 (CCPA 1960).

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Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Studt and Mills, further in view of Faccoli (EP 0851177 A1).

Studt and Mills disclose the Studt teaches sealing by means of a gasket, however, he does not disclose how the gasket is sealed thereupon the door assembly; it would be known in the art that any functional equivalence for mounting said gasket would be reasonably effective. Arguably, hooks and holes to mount the seal thereupon would be an effective means for mounting the gasket. Faccoli teaches an elastomer sealing gasket to be interposed between a front rim of the oven and the oven door, comprising a continuous strip 1, provided with metal elements 2, 2', having respective hooks 21, 21' for engagement in corresponding holes provided in the oven structure which said metal elements 2' are inserted in a tubular cavity 3 of the gasket through respective openings 30 made in a wall 4 defining said tubular cavity on one side 3 said openings 30 having an intermediate portion 31 extending substantially in the longitudinal direction of said strip 1 and two end portions 32 with an arched outline (Abstract). Although Faccoli's gasket teaching is not explicitly stated for a door of a front loading laundry machine, it may be used for said purpose. It is well settled that the intended use of a claimed apparatus is not germane to the issue of the patentability of the claimed structure. If the prior art structure is capable of performing the claimed use then it meets the claim. *In re Casey*, 152 USPQ 235, 238 (CCPA 1967); *In re Otto*, 136 USPA 459 (CPA 1963). Moreover, Faccoli teaches it would have been obvious to provide a thickness of a seating groove for said gasket holes, as shown in Figure 4 by

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the mounting of the gasket within the gasket holes—the seating groove would be used for holding the hooks therein.

Claims 14 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Studt and Mills, further in view of Linton et al. herein referred to as “Linton” (US Patent No. 6,109,277).

Studt and Mills teach the claimed invention, however, fail to disclose paint coatings disposed thereupon said apparatus. Linton discloses a parts washer wherein the housing 20 may also be covered with insulating ceramic paint, the insulation increases the efficiency of the parts washer by maintaining a minimization of heat loss for the apparatus (col. 5, lines 7-9). It would be obvious to one of ordinary skill in the art at the time of the invention to use ceramic paint in the coating of the apparatus taught by Studt and Mills. Although Linton teaches the use of ceramic paint for a parts washer, the ceramic paint may equally be used for a laundry machine for the same purpose. It is well settled that the intended use of a claimed apparatus is not germane to the issue of the patentability of the claimed structure. If the prior art structure is capable of performing the claimed use then it meets the claim. *In re Casey*, 152 USPQ 235, 238 (CCPA 1967); *In re Otto*, 136 USPA 459 (CPA 1963).

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Studt and Mills, further in view of Gebhardt (US Patent No. 3,223,276).

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Studt and Mills teach the claimed invention, however Studt does not say the gasket is used explicitly for prevention of leakage of heated air; however, it is commonly known in the art to use a gasket for achieving said functions. Gebhardt discloses a door seal for household appliances wherein, such appliances require a tight seal in the gap between the door and the door frame to prevent the escape of vapors of liquid or the ingress of heat from dishwashers and laundering machines (col. 1, lines 14-17).

Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Studt, Mills and Faccoli, further in view of Gebhardt; the references applied here are for the same reasons as given above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only:

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RRP

A handwritten signature in black ink, appearing to read 'Michael Barr', with a stylized flourish extending from the end.

MICHAEL BARR
SUPERVISORY PATENT EXAMINER